

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	MICHEL'S ET AL.	Examiner:	C. WITCZAK
Serial No.:	10/791,370	Group Art Unit:	3767
Filed:	MARCH 1, 2004	Docket No.:	9748.117US01
Title:	DELIVERY SYSTEM AND METHOD		

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE

Dear Sir:

This paper is being submitted in response to the Restriction Requirement mailed April 6, 2009. Without acquiescing to the statements made therein, Applicants hereby elect with traverse the claims of Group I, (claims 1-41) for prosecution in the instant application.

The Examiner noted that if Applicants elect the claims of Group I, the claims were further subject to restriction of species. Applicants elect AI: Embodiment of Figure 4 for prosecution. Figure 4 is a view showing a portion of the systems 20, 22 of Figures 1 and 2. Figures 5, 6, 12, 19, and 20 show additional views of the same systems 20, 22 of Figures 1 and 2. Claims 1-41 read on the elected species. Examination on the merits is respectfully requested.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date:

June 5, 2009

Steven C. Bruess
Reg. No. 34,130
SCB:PLSkaw